

TITLE 12

BUILDING, UTILITY, ETC. CODES

CHAPTER

1. BUILDING CODE.
2. PLUMBING CODE.
3. ELECTRICAL CODE.
4. GAS CODE.
5. HOUSING CODE.
6. MODEL ENERGY CODE.
7. RESIDENTIAL CODE.
8. MECHANICAL CODE.

CHAPTER 1

BUILDING CODE¹

SECTION

- 12-101. International Building code adopted.
- 12-102. Modifications.
- 12-103. Available in recorder's office.
- 12-104. Violations.
- 12-105. Fees.

12-101. International building code adopted. Pursuant to authority granted by Tennessee Code Annotated, §§ 6-54-501 through 6-54-506, and for the purpose of establishing the minimum requirements to safeguard the public health, safety and general welfare through structural strength, means of egress facilities, stability, sanitation, adequate light and ventilation, energy conservation, and safety to like and property from fire and other hazards attributed to the built environment, the International Building Code,² 2003 edition, as prepared and adopted by the International Building Council is hereby adopted and incorporated by reference as a part of this code, and is

¹Municipal code references

Fire protection, fireworks, and explosives: title 7.

Planning and zoning: title 14.

Streets and other public ways and places: title 16.

Utilities and services: titles 18 and 19.

²Copies of this code (and any amendments) may be purchased from the International Code Council, 900 Montclair Road, Birmingham, Alabama 35213.

hereinafter referred to as the International Building Code. (1980 Code, § 4-101, as replaced by Ord. #162, Nov. 2005)

12-102. Modifications. (1) Definitions. Whenever in the International Building Code when reference is made to the duties of a certain official named therein, that designated official of the Town of Burns who has duties corresponding to those of the named official in said code shall be deemed to be the responsible official insofar as enforcing the provisions of the International Building Code are concerned.

(2) Permit fees. The schedule of permit fees shall be as follows:

(a) Square footage times ninety dollars (\$90.00) per square foot for living/heated space. This is estimated cost of construction.

(b) Fee is fifteen dollars (\$15.00) for the first thousand and five dollars (\$5.00) for each thousand thereafter.

(c) Unheated non living space is figured at forty five dollars (\$45.00) per square foot. (1980 Code, § 4-102, as replaced by Ord. #162, Nov. 2005)

12-103. Available in recorder's office. Pursuant to the requirements of the Tennessee Code Annotated, § 6-54-502, one (1) copy of the International Building Code has been placed on file in the recorder's office and shall be kept there for the use and inspection of the public. (1980 Code, § 4-103, as replaced by Ord. #162, Nov. 2005)

12-104. Violations. It shall be unlawful for any person to violate or fail to comply with any provision of the building code as herein adopted by reference and modified. The violation of any section of this chapter shall be punishable by a penalty of up to fifty dollars (\$50.00). Each day a violation is allowed to continue shall constitute a separate offense. (1980 Code, § 4-104, as replaced by Ord. #162, Nov. 2005)

12-105. Fees. The cost per square foot for new homes and additions to existing building shall be based upon a seventy dollar (\$70.00) per square foot estimate. The cost per square foot shall be multiplied by the square foot of the new home or addition. Commercial buildings, basements, garages, and porches shall be based on nine dollar (\$9.00) per square foot estimate. The building permit fee will be fifteen dollars (\$15.00) for the first one thousand dollars (\$1,000.00) and five dollars (\$5.00) for each additional one thousand dollars (\$1,000.00) thereafter. (as added by Ord. #15-7, Feb. 2005)

CHAPTER 2

PLUMBING CODE¹

SECTION

12-201. International Plumbing Code adopted.

12-202. Modifications.

12-203. [Repealed.]

12-204. [Repealed.]

12-201. International Plumbing Code adopted. A certain document, two (2) copies of which are on file in the office of the recorder of the Town of Burns, Tennessee, being marked and designated as the International Plumbing Code, 2003 edition, as published by the International Code Council,² be and is hereby adopted as the Plumbing Code of the Town of Burns, Tennessee, regulating and governing the design construction, quality of materials, erection, installation, alteration, repair, location, relocation, replacement, addition to, use or maintenance of plumbing systems as herein provided; providing for the issuance of permits and collection of fees therefor; and each and all of the regulations, provisions, penalties, conditions and terms of said plumbing code on file in the office of the recorder, Town of Burns, Tennessee, hereby referred to, adopted, and made a part hereof, as if fully set out in this chapter, with the additions, insertions, deletions and changes, if any, prescribed in § 12-202 of this chapter. (1980 Code, § 4-201, as replaced by Ord. #175, Nov. 2006)

12-202. Modifications. The following sections are hereby revised:

Section 101.1 Insert: The Town of Burns, Tennessee.

Section 106.6.2 Insert: As adopted by the board of commissioners.

Section 106.6.3 Insert: As adopted by the board of commissioners.

Section 108.4 Insert: Persons who shall violate a provision of this code or shall fail to comply with any of the requirements thereof or who shall erect, install, alter or repair plumbing work in violation of the approved construction documents or directive of the code official, or of a permit or certificate issued under the provisions of this code, shall be guilty of a civil offense, punishable by

¹Municipal code references

Cross connections: title 18.

Street excavations: title 16.

Wastewater treatment: title 18.

Water and sewer system administration: title 18.

²Copies of this code (and any amendments) may be purchased from the International Code Council, 900 Montclair Road, Birmingham, Alabama 35213.

a fine of not more than fifty dollars (\$50.00). Each day that a violation continues after due notice has been served shall be deemed a separate offense.

Section 108.5 Insert: Shall be subject to a fine of fifty dollars (\$50.00).

Section 305.6.1 Insert: 30".

Section 904.1 Insert: As adopted by the board of commissioners. (1980 Code, § 4-202, as replaced by Ord. #175, Nov. 2006)

12-203. [Repealed.] (1980 Code, § 4-203, as repealed by Ord. #175, Nov. 2006)

12-204. [Repealed.] (1980 Code, § 4-204, as repealed by Ord. #175, Nov. 2006)

CHAPTER 3

ELECTRICAL CODE¹

SECTION

- 12-301. Electrical code adopted.
12-302. Available in recorder's office.
12-303. Permit required for doing electrical work.
12-304. Violations.
12-305. Enforcement.
12-306. Fees.

12-301. Electrical code adopted. Pursuant to authority granted by Tennessee Code Annotated, §§ 6-54-501 through 6-54-506 and for the purpose of providing practical minimum standards for the safeguarding of persons and of buildings and their contents from hazards arising from the use of electricity for light, heat, power, radio, signaling, or for other purposes, the National Electrical Code,² 1996 edition, as prepared by the National Fire Protection Association, is hereby adopted and incorporated by reference as a part of this code and is hereinafter referred to as the electrical code. (1980 Code, § 4-301, modified)

12-302. Available in recorder's office. Pursuant to the requirements of Tennessee Code Annotated, § 6-54-502, one (1) copy of the electrical code has been placed on file in the recorder's office and shall be kept there for the use and inspection of the public. (1980 Code, § 4-302, modified)

12-303. Permit required for doing electrical work. No electrical work shall be done within the Town of Burns until a permit therefor has been issued by the town. The term "electrical work" shall not be deemed to include minor repairs that do not involve the installation of new wire, conduits, machinery, apparatus, or other electrical devices generally requiring the services of an electrician. (1980 Code, § 4-303)

12-304. Violations. It shall be unlawful for any person to do or authorize any electrical work or to use any electricity in such manner or under such circumstances as not to comply with this chapter and/or the requirements and standards prescribed by the electrical code. (1980 Code, § 4-304)

¹Municipal code references

Fire protection, fireworks and explosives: title 7.

²Copies of this code may be purchased from the National Fire Protection Association, 1 Batterymarch Park, Quincy, Massachusetts 02269-9101.

12-305. Enforcement. The electrical inspector shall be such person as the board of commissioners shall appoint or designate. It shall be his duty to enforce compliance with this chapter and the electrical code as herein adopted by reference. He is authorized and directed to make such inspections of electrical equipment and wiring, etc., as are necessary to insure compliance with the applicable regulations, and may enter any premises or building at any reasonable time for the purpose of discharging his duties. He is authorized to refuse or discontinue electrical service to any person or place not complying with this chapter and/or the electrical code. (1980 Code, § 4-305)

12-306. Fees. The electrical inspector shall collect the same fees as are authorized in Tennessee Code Annotated, § 68-102-143 for electrical inspections by deputy inspectors of the state fire marshal. (1980 Code, § 4-306)

CHAPTER 4

GAS CODE¹

SECTION

- 12-401. Title and definitions.
- 12-402. Purpose and scope.
- 12-403. Use of existing piping and appliances.
- 12-404. Bond and license.
- 12-405. Gas inspector and assistants.
- 12-406. Powers and duties of inspector.
- 12-407. Permits.
- 12-408. Inspections.
- 12-409. Certificates.
- 12-410. Fees.
- 12-411. Violations and penalties.
- 12-412. Nonliability.

12-401. Title and definitions. This chapter and the code herein adopted by reference shall be known as the gas code of the Town of Burns. The following definitions are provided for the purpose of interpretation and administration of the gas code.

(1) "Inspector" means the person appointed as inspector, and shall include each assistant inspector, if any, from time to time acting as such under this chapter by appointment of the municipal board of commissioners.

(2) "Person" means any individual, partnership, firm, corporation, or any other organized group of individuals.

(3) "Gas company" means any person distributing gas within the corporate limits or authorized and proposing to so engage.

(4) "Certificate of approval" means a document or tag issued and/or attached by the inspector to the inspected material, piping, or appliance installation, filled out, together with date, address of the premises, and signed by the inspector.

(5) "Certain appliances" means conversion burners, floor furnaces, central heating plants, vented wall furnaces, water heaters, and boilers. (1980 Code, § 4-401)

12-402. Purpose and scope. The purpose of the gas code is to provide minimum standards, provisions, and requirements for safe installation of consumer's gas piping and gas appliances. All gas piping and gas appliances

¹Municipal code reference

Gas system administration: title 19, chapter 2.

installed, replaced, maintained, or repaired within the corporate limits shall conform to the requirements of this chapter and to the Standard Gas Code,¹ 1994 edition, with 1996 revisions, which is hereby incorporated by reference and made a part of this chapter as if fully set forth herein. One (1) copy of the gas code shall be kept on file in the office of the city recorder for the use and inspection of the public. (1980 Code, § 4-402, modified)

12-403. Use of existing piping and appliances. Notwithstanding any provision in the gas code to the contrary, consumer's piping installed prior to the adoption of the gas code or piping installed to supply other than natural gas may be converted to natural gas if the inspector finds, upon inspection and proper tests, that such piping will render reasonably satisfactory gas service to the consumer and will not in any way endanger life or property; otherwise, such piping shall be altered or replaced, in whole or in part, to conform with the requirements of the gas code. (1980 Code, § 4-403)

12-404. Bond and license. (1) No person shall engage in or work at the installation, extension, or alteration of consumer's gas piping or certain gas appliances, until such person shall have secured a license as hereinafter provided, and shall have executed and delivered to the city recorder a good and sufficient bond in the penal sum of \$10,000, with corporate surety, conditioned for the faithful performance of all such work, entered upon or contracted for, in strict accordance and compliance with the provisions of the gas code. The bond herein required shall expire on the first day of January next following its approval by the city recorder, and thereafter on the first day of January of each year a new bond, in form and substance as herein required, shall be given by such person to cover all such work as shall be done during such year.

(2) Upon approval of said bond, the person desiring to do such work shall secure from the city recorder a nontransferable license which shall run until the first day of January next succeeding its issuance, unless sooner revoked. The person obtaining a license shall pay any applicable license fees to the city recorder.

(3) Nothing herein contained shall be construed as prohibiting an individual from installing or repairing his own appliances or installing, extending, replacing, altering, or repairing consumer's piping on his own premises, or as requiring a license or a bond from an individual doing such work on his own premises; provided, however, all such work must be done in conformity with all other provisions of the gas code, including those relating to permits, inspections, and fees. (1980 Code, § 4-404)

¹Copies of this code (and any amendments) may be purchased from the Southern Building Code Congress International, Inc., 900 Montclair Road, Birmingham, Alabama 35213.

12-405. Gas inspector and assistants. To provide for the administration and enforcement of the gas code, the office of gas inspector is hereby created. The inspector, and such assistants as may be necessary in the proper performance of the duties of the office, shall be appointed or designated by the board of commissioners. (1980 Code, § 4-405)

12-406. Powers and duties of inspector. (1) The inspector is authorized and directed to enforce all of the provisions of the gas code. Upon presentation of proper credentials, he may enter any building or premises at reasonable times for the purpose of making inspections or preventing violations of the gas code.

(2) The inspector is authorized to disconnect any gas piping or fixture or appliance for which a certificate of approval is required but has not been issued with respect to same, or which, upon inspection, shall be found defective or in such condition as to endanger life or property. In all cases where such a disconnection is made, a notice shall be attached to the piping, fixture, or appliance disconnected by the inspector, which notice shall state that the same has been disconnected by the inspector, together with the reason or reasons therefor, and it shall be unlawful for any person to remove said notice or reconnect said gas piping or fixture or appliance without authorization by the inspector and such gas piping or fixture or appliance shall not be put in service or used until the inspector has attached his certificate of approval in lieu of his prior disconnection notice.

(3) It shall be the duty of the inspector to confer from time to time with representatives of the local health department, the local fire department, and the gas company, and otherwise obtain from proper sources all helpful information and advice, presenting same to the appropriate officials from time to time for their consideration. (1980 Code, § 4-406)

12-407. Permits. (1) No person shall install a gas conversion burner, floor furnace, central heating plant, vented wall furnace, water heater, boiler, consumer's gas piping, or convert existing piping to utilize natural gas without first obtaining a permit to do such work from the city recorder; however, permits will not be required for setting or connecting other gas appliances, or for the repair of leaks in house piping.

(2) When only temporary use of gas is desired, the recorder may issue a permit for such use, for a period of not to exceed sixty (60) days, provided the consumer's gas piping to be used is given a test equal to that required for a final piping inspection.

(3) Except when work in a public street or other public way is involved the gas company shall not be required to obtain permits to set meters, or to extend, relocate, remove, or repair its service lines, mains, or other facilities, or for work having to do with its own gas system. (1980 Code, § 4-407)

12-408. Inspections. (1) A rough piping inspection shall be made after all new piping authorized by the permit has been installed, and before any such piping has been covered or concealed or any fixtures or gas appliances have been attached thereto.

(2) A final piping inspection shall be made after all piping authorized by the permit has been installed and after all portions thereof which are to be concealed by plastering or otherwise have been so concealed, and before any fixtures or gas appliances have been attached thereto. This inspection shall include a pressure test, at which time the piping shall stand an air pressure equal to not less than the pressure of a column of mercury six (6) inches in height, and the piping shall hold this air pressure for a period of at least ten (10) minutes without any perceptible drop. A mercury column gauge shall be used for the test. All tools, apparatus, labor, and assistance necessary for the test shall be furnished by the installer of such piping. (1980 Code, § 4-408)

12-409. Certificates. The inspector shall issue a certificate of approval at the completion of the work for which a permit for consumer piping has been issued if after inspection it is found that such work complies with the provisions of the gas code. A duplicate of each certificate issued covering consumer's gas piping shall be delivered to the gas company and used as its authority to render gas service. (1980 Code, § 4-409)

12-410. Fees. (1) The total fees for inspection of consumer's gas piping at one location (including both rough and final piping inspections) shall be \$1.50 for one to four outlets, inclusive, and \$0.50 for each outlet above four.

(2) The fees for inspecting conversion burners, floor furnaces, boilers, or central heating plants shall be \$1.50 for each unit.

(3) The fees for inspecting vented wall furnaces and water heaters shall be \$1.00 for each unit.

(4) If the inspector is called back, after correction of defects noted, an additional fee of \$1.00 shall be made for each such return inspection.

(5) Any and all fees shall be paid by the person to whom the permit is issued. (1980 Code, § 4-410)

12-411. Violations and penalties. Section 107 of the gas code is hereby deleted. Any person who shall violate or fail to comply with any of the provisions of the gas code shall be guilty of a misdemeanor, and upon conviction thereof shall be fined under the general penalty clause for this code of ordinances, or the license of such person may be revoked, or both fine and revocation of license may be imposed. (1980 Code, § 4-411)

12-412. Nonliability. This chapter shall not be construed as imposing upon the town any liability or responsibility for damages to any person injured by any defect in any gas piping or appliance mentioned herein, or by installation

thereof, nor shall the town, or any official or employee thereof, be held as assuming any such liability or responsibility by reason of the inspection authorized hereunder or the certificate of approval issued by the inspector. (1980 Code, § 4-412)

CHAPTER 5

HOUSING CODE

SECTION

12-501. Housing code adopted.

12-502. Modifications.

12-503. Available in recorder's office.

12-504. Violations.

12-501. Housing code adopted. Pursuant to authority granted by Tennessee Code Annotated, §§ 6-54-501 through 6-54-506, and for the purpose of securing the public safety, health, and general welfare through structural strength, stability, sanitation, adequate light, and ventilation in dwellings, apartment houses, rooming houses, and buildings, structures, or premises used as such, the Standard Housing Code,¹ 1994 edition, as prepared and adopted by the Southern Building Code Congress International, Inc., is hereby adopted and incorporated by reference as a part of this code and is hereinafter referred to as the housing code. (1980 Code, § 4-501, modified)

12-502. Modifications. Wherever the housing code refers to the "Building Official" it shall mean the person appointed or designated by the board of commissioners to administer and enforce the provisions of the housing code. Wherever the "Department of Law" is referred to it shall mean the town attorney. Wherever the "Chief Appointing Authority" is referred to it shall mean the board of commissioners. Section 108 of the housing code is deleted. (1980 Code, § 4-502)

12-503. Available in recorder's office. Pursuant to the requirements of Tennessee Code Annotated, § 6-54-502, one (1) copy of the housing code has been placed on file in the recorder's office and shall be kept there for the use and inspection of the public. (1980 Code, § 4-503, modified)

12-504. Violations. It shall be unlawful for any person to violate or fail to comply with any provision of the housing code as herein adopted by reference and modified. (1980 Code, § 4-504)

¹Copies of this code (and any amendments) may be purchased from the Southern Building Code Congress International, Inc., 900 Montclair Road, Birmingham, Alabama 35213.

CHAPTER 6

MODEL ENERGY CODE¹

SECTION

- 12-601. Model energy code adopted.
 12-602. Modifications.
 12-603. Available in recorder's office.
 12-604. Violations and penalty.

12-601. Model energy code adopted. Pursuant to authority granted by Tennessee Code Annotated, §§ 6-54-501 through 6-54-506, and for the purpose of regulating the design of buildings for adequate thermal resistance and low air leakage and the design and selection of mechanical, electrical, water-heating and illumination systems and equipment which will enable the effective use of energy in new building construction, the Model Energy Code² 1992 edition, as prepared and maintained by The Council of American Building Officials, is hereby adopted and incorporated by reference as a part of this code, and is hereinafter referred to as the energy code.

12-602. Modifications. Whenever the energy code refers to the "responsible government agency," it shall be deemed to be a reference to the Town of Burns. When the "building official" is named it shall, for the purposes of the energy code, mean such person as the board of commissioners shall have appointed or designated to administer and enforce the provisions of the energy code.

12-603. Available in recorder's office. Pursuant to the requirements of the Tennessee Code Annotated, § 6-54-502, one (1) copy of the energy code has

¹State law reference

Tennessee Code Annotated, § 13-19-106 requires Tennessee cities either to adopt the Model Energy Code, 1992 edition, or to adopt local standards equal to or stricter than the standards in the energy code.

Municipal code references

Fire protection, fireworks, and explosives: title 7.

Planning and zoning: title 14.

Streets and other public ways and places: title 16.

Utilities and services: titles 18 and 19.

²Copies of this code (and any amendments) may be purchased from The Council of American Building Officials, 5203 Leesburg, Pike Falls Church, Virginia 22041.

been placed on file in the recorder's office and shall be kept there for the use and inspection of the public.

12-604. Violations and penalty. It shall be a civil offense for any person to violate or fail to comply with any provision of the energy code as herein adopted by reference and modified. The violation of any section of this chapter shall be punishable by a penalty of up to five hundred dollars (\$500) for each offense. Each day a violation is allowed to continue shall constitute a separate offense.

CHAPTER 7

RESIDENTIAL CODE

SECTION

12-701. International Residential Code adopted.

12-702. Modifications.

12-703. Available in recorder's office.

12-704. Violations and penalty.

12-701. International Residential Code adopted. Pursuant to authority granted by Tennessee Code Annotated, §§ 6-54-501 through 6-54-506, and for the purpose of establishing the minimum requirements to safeguard the public health, safety and general welfare through structural strength, means of egress facilities, stability, sanitation, adequate light and ventilation, energy conservation, and safety to life and property from fire and other hazards attributed to the built environment, the International Residential Code,¹ 2003 edition, as prepared and adopted by the International Building Council is hereby adopted and incorporated by reference as a part of this code, and is hereinafter referred to as the International Residential Code. (as added by Ord. #163, Nov. 2005)

12-702. Modifications. (1) Definitions. Whenever in the International Residential Code when reference is made to the duties of a certain official named therein, that designated official of the Town of Burns who has duties corresponding to those of the named official in said code shall be deemed to be the responsible official insofar as enforcing the provisions of the International Residential Code are concerned.

(2) Permit fees. The schedule of permit fees shall be as follows:

(a) Square footage times ninety dollars (\$90.00) per square foot for living/heated space. This is estimated cost of construction.

(b) Fee is fifteen dollars (\$15.00) for the first thousand and five dollars (\$5.00) for each thousand thereafter.

(c) Unheated/non living space is figured at forty five dollars (\$45.00) per square foot. (as added by Ord. #163, Nov. 2005)

12-703. Available in recorder's office. Pursuant to the requirements of the Tennessee Code Annotated, § 6-54-502, one (1) copy of the International Residential Code has been placed on file in the recorder's office and shall be kept

¹Copies of this code (and any amendments) may be purchased from the International Code Council, 900 Montclair Road, Birmingham, Alabama 35213.

there for the use and inspection of the public. (as added by Ord. #163, Nov. 2005)

12-704. Violations and penalty. It shall be unlawful for any person to violate or fail to comply with any provision of the International Residential Code as herein adopted by reference and modified. The violation of any section of this chapter shall be punishable by a penalty of up to fifty dollars (\$50.00). Each day a violation is allowed to continue shall constitute a separate offense. (as added by Ord. #163, Nov. 2005)

CHAPTER 8

MECHANICAL CODE

SECTION

12-801. International Mechanical Code adopted.

12-802. Modifications.

12-801. International Mechanical Code adopted. A certain document, two (2) copies of which are on file in the office of the recorder of the Town of Burns, Tennessee, being marked and designated as the International Mechanical Code, 2003 edition, as published by the International Code Council,¹ be and is hereby adopted as the Mechanical Code of the Town of Burns, Tennessee, regulating and governing the design, construction, quality of materials, erection, installation, alteration, repair, location, relocation, replacement, addition to, use or maintenance of mechanical systems as herein provided; providing for the issuance of permits and collection of fees therefor; and each and all of the regulations, provisions, penalties, conditions and terms of said mechanical code on file in the office of the recorder, Town of Burns, Tennessee, hereby referred to, adopted, and made a part hereof, as if fully set out in this chapter, with the additions, insertions, deletions and changes, if any, prescribed in § 12-802 of this chapter. (as added by Ord. #176, Nov. 2006)

12-802. Modifications. The following sections are hereby revised:

Section 101.1 Insert: The Town of Burns, Tennessee.

Section 106.5.2. Insert: As adopted by the board of commissioners.

Section 106.5.3. Insert: As adopted by the board of commissioners.

Section 108.4. Insert: Persons who shall violate a provision of this code or shall fail to comply with any of the requirements thereof or who shall erect, install, alter or repair mechanical work in violation of the approved construction documents or directive of the code official, or of a permit or certificate issued under the provisions of this code, shall be guilty of a civil offense, punishable by a fine of not more than fifty dollars (\$50.00). Each day that a violation continues after due notice has been served shall be deemed a separate offense.

Section 108.5 Insert: Shall be subject to a fine of fifty dollars (\$50.00). (as added by Ord. #176, Nov. 2006)

¹Copies of this code (and any amendments) may be purchased from the International Code Council, 900 Montclair Road, Birmingham, Alabama 35213.